

**Fw: Other Greenleaf Locations?**  
**Maryjane Wingett** to: Donald Toensing

01/14/2008 08:36 AM

FYI.

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----- Forwarded by Maryjane Wingett/R7/USEPA/US on 01/14/2008 08:36 AM -----



"Steiner, Gary"  
<Gary.Steiner@mda.mo.gov>

01/11/2008 08:11 AM

To Maryjane Wingett/R7/USEPA/US@EPA, "Brunnert, John"  
<John.Brunnert@mda.mo.gov>, "Bailey, Paul"  
<Paul.Bailey@mda.mo.gov>  
cc Walter Roachell/R7/USEPA/US@EPA, Akilah  
Nicks/R7/USEPA/US@EPA, Jamie  
Green/R7/USEPA/US@EPA  
Subject RE: Other Greenleaf Locations?

The third facility is a leased warehouse located in the Crowder Industrial Park two miles southeast of Neosho in Missouri. Paul and I did not attempt to inspect the leased warehouses near Neosho and at Pineville, because Management told us no pesticides stored there were offered for sale or distribution. Apparently there are more piles of damaged pesticides from Wal-Mart at the two leased warehouses.

We were also told that Greenleaf intends to turn the Pineville operation into their main pesticide production establishment. Reportedly, it is already equipped with a modern filling/bagging production line. It used to be a charcoal briquette bagging plant. We advised them to notify EPA and get another EPA establishment number before beginning production in Pineville.

Steiner

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**From:** Wingett.Maryjane@epamail.epa.gov [mailto:Wingett.Maryjane@epamail.epa.gov]  
**Sent:** Fri 1/11/2008 7:55 AM  
**To:** Brunnert, John; Bailey, Paul; Steiner, Gary  
**Cc:** Roachell.Walter@epamail.epa.gov; Nicks.Akilah@epamail.epa.gov; Green.Jamie@epamail.epa.gov  
**Subject:** Other Greenleaf Locations?

Thanks Gary. From the background information you all have provided I know there's another facility in Pineville. Where was the third facility? I'll go back through my emails and maybe that information is there and I've missed it or forgotten already. I realize that you all are still buried under the paper work from doing the inspection at the

facility in Neosho, but it appears that at some point we'll need to discuss inspecting the facility in Pineville, as well as the third facility. If the facility (ies) are outside of Missouri, then we (Region 7) will refer the information on to the appropriate state and/or region.

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"Steiner, Gary"  
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To  
Maryjane Wingett/R7/USEPA/US@EPA,  
01/11/2008 07:31 "Bailey, Paul"  
AM <Paul.Bailey@mda.mo.gov>  
cc  
"Brunnert, John"  
<John.Brunnert@mda.mo.gov>  
Subject  
RE: Background Information For  
Mary Jane

They are two different situations. Carman was/is an agricultural chemical broker and held large inventories of much more toxic pesticides. His inventory control and improper production and distribution activities were unparalleled to be sure. Greenleaf is a (registered establishment) pesticide producer and has somehow come up with about 18 sec. 3 basic registrations based on the use of other firm's registered end-use pesticides as their feedstock or manufacturing use technical active ingredients. Greenleaf thinks of itself as a pesticide recycler, not just a producer. But the deficiencies in their inventory control and manufacturing and distribution operation completely dwarf Carman. Greenleaf is probably more analogous to HPI, but on a much grander scale and without those bothersome labels. Paul is correct about one thing. Neither the Plant Manager, the lead Counter Salesman, the Greenleaf Owner, his RCRA regulatory affairs consultant nor his FIFRA regulatory affairs consultant have a clue what a pesticide is. And they are sitting several million pounds of pesticides in at

least three locations. No way MDA has the manpower to go through all that mountain of pesticides.

I hope EPA takes another look at this 100% repack policy.

Steiner

From: Wingett.Maryjane@epamail.epa.gov  
[mailto:[Wingett.Maryjane@epamail.epa.gov](mailto:Wingett.Maryjane@epamail.epa.gov)]  
Sent: Thu 1/10/2008 3:05 PM  
To: Bailey, Paul  
Cc: Steiner, Gary; Brunnert, John  
Subject: RE: Background Information For Mary Jane

My head is spinning and it's hard for me to even imagine that it could look worse than Carman Chem. I'm eager now to hear what Candace says when she gets there. I wonder what they'll find, as it relates to MDNR's regs.

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To  
"Steiner, Gary"  
01/10/2008 02:18 PM <Gary.Steiner@mda.mo.gov>  
cc  
Maryjane Wingett/R7/USEPA/US@EPA,  
"Brunnert, John"  
<John.Brunnert@mda.mo.gov>  
Subject  
RE: Background Information For  
Mary Jane

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I AGREE! It's unbelievable. And, I doubt very seriously that

GreenLeaf actually went through each tote(the totes found in the open area and in bldg 3) to remove all pesticides. I found some pesticide yesterday and took photos of the product. It sure appears to be mostly soil, charcoal, and other stuff but, I'd bet you there are still pesticides out there. After talking to some of the GreenLeaf help over the last two days, I'm not totally convinced that they know what a pesticide is and they'll be the ones sorting the bags.

Bubba

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From: Steiner, Gary  
Sent: Thursday, January 10, 2008 10:14 AM  
To: Bailey, Paul  
Cc: wingett.maryjane@epamail.epa.gov  
Subject: Background Information For Mary Jane

Paul/Mary Jane,

I understand there might be a RCRA effort in the works so I think a "brief" memo is in order since my report will surely not reach your desk for a week or two.

Greenleaf, LLC operates a storage and manufacturing site at Neosho, Missouri and operates two leased storage sites near Neosho and at Pineville, Mo. Reportedly, pesticides are stored at each of these facilities. The firm has operated the 13960 Palm Road site (approximately five acres with about 527,000 square feet of storage area within three buildings) south of Neosho for six months or one year (depending on who you are talking with). Plant Manager Mr. Robert Applegarth estimates there are somewhere in the neighborhood of 1,800,000 pounds of pesticides (1,000,000 pounds of insecticides, 800,000 pounds of herbicides and just a few pounds of fungicides) currently on inventory at the Palm Road site. Most of that inventory was packaged in original containers of the registrants, was not held for sale or distribution by Greenleaf and was intended solely for production into Greenleaf registered pesticides. Paul and I discovered approximately 93,100 pounds of dry pesticides and one gallon of herbicide (Roundup) that had been repackaged into a milk jug that was being held for sale and distribution. Our estimate of the total pounds was surely aggressive. The actual amount might be somewhat lower. Almost all of the salable pesticide inventory was unlabeled and held in open bulk bins. Many of the bins displayed signs that listed prices and rudimentary hand lettered description or identification (weed & feed, weed preventer, bug bait, etc.). Some bulk bins were unlabeled. A

relatively small amount of pesticides had been re-bagged into two, five, ten and 30 pound bags and the bags were labeled only with small Greenleaf stickers listing simple brand names. Paul and I SSUROed all of the firm's inventory that was held for sale. Mr. Applegarth estimated that he has already sold and distributed from 1,600,000 to 2,000,000 pounds of pesticides. He told us no salable pesticide inventory was held at the two leased warehouse locations and we did not visit those sites for this inspection. So, we do not know how much pesticide is stored there.

During a conversation with Greenleaf LLC Owner Mr. Tom Smith yesterday we found he also owns Roll Off Service, a trash disposal service of Lowell, Arkansas. He said he identified a business opportunity through his firm's association with WalMart, Inc. of Bentonville, Ar. Reportedly, Roll Off Services had a contract with WalMart to haul and dispose of wastes, including hazardous wastes for the retail giants "return center in Bentonville. A WalMart return center receives damaged and unsalable merchandise from local retail stores within their region. WalMart also has return centers located in Indianapolis, Indiana, Las Vegas, Nevada, Waco, Texas, Macon, Georgia, and in Johnstown, New York. Apparently Mr. Smith and WalMart officials hatched a plan where damaged merchandise coming in to Wal-Mart return centers from WalMart garden centers would be redirected for recycling instead of disposal. The damaged merchandise included bags of charcoal, potting soil, wood chips, mulch, fertilizer, seed, bird seed, kitty litter and pesticides. This material had been disposed of prior to implementation of the recycling program. Apparently, this all fit in quite well with Wal-Mart's new environmental sustainability programs.

The Greenleaf/WalMart agreement required all of the damaged merchandise to be removed or de-bagged from original packaging before Greenleaf could sell and distribute the materials. Officially Greenleaf purchased the materials from WalMart, but we have reason to believe the goods were received at little or no cost to Greenleaf. The contract included pesticide products that made up a significant part of the garden center damaged goods taken in from the return centers. Beginning some time in 2007 all of this damaged merchandise from all of the WalMart return centers in the United States was routed to Greenleaf. The first shipment included 77 trailer loads and it kept coming. Mr. Smith hired Mrs. Mindy Becker (from Wal-Mart) as his regulatory affairs FIFRA consultant. Mrs. Becker operates from an office in the Bentonville or Springdale, Ar. area and her phone number is (479) 721-8551. Mr. Smith hired Mr. David Harsh of Harsh Environmental of Fayetteville, Ar. as his RCRA consultant. Mr. Harsh's phone number is (479) 225-6366. Reportedly, Mrs. Becker secured the firm's pesticide registrations and has access to Greenleaf's written agreements with all of the pesticide registrants represented by the pesticides received from the WalMart return centers. Mr. Smith said she is doing a good job overseeing Greenleaf's pesticide activities. He said that representatives of some of the major pesticide registrants doing business with WalMart have even inspected the Greenleaf facility (including Scott's of Ohio) and have approved of the pesticide recycling effort.

Basically what happens when a truck load of damaged goods arrives from a WalMart return center is that Greenleaf attempts to separate the

pesticides from other goods and when time allows Greenleaf employees cut open the pesticide bags and pour out the contents of the pesticide containers into wooden or cardboard bulk bins mounted on pallets that are stored for display and held for sale in the main sales or customer area of the facility. A large amount of pesticides was also dumped into large piles inside another part of the main building. Some of the salable product had been re-bagged, but most of it was left in bulk bins to just be scooped out of the bins by hand and placed into unlabeled bags during sale to the public. The pesticide were sold just like bird seed. Reportedly, the customer is given a copy of the Greenleaf label for the product, but no label is applied to the container. Some bagged inventory did display a small Greenleaf sticker listing only the weight and trade name of the product. The firm also sold a herbicide/fertilizer blended product to local farmers in bulk from a large pile derived from de-bagged and commingled weed and feed type pesticides.

There is literally no part of the Greenleaf operation that has been conducted in a professional or appropriate manner in regard to FIFRA. We found evidence of pesticides left on the floors. Empty bags from the ongoing de-bagging operation were found in dumpsters. Paul and I believe several different products of various active ingredients as well as different registrations were commingled and likely make up the inventory of any and all of the pesticides held for sale by Greenleaf. The open bins were stored in the area of the facility where customers and the public had unlimited access. No pesticide type warning signs were posted. Employees do not appear to be knowledgeable regarding the proper handling of pesticides and there was little evidence of PPE in use. The primary Counter Salesman was confused regarding the identity of many of the pesticide products offered for sale. He was unable to identify appropriate labeling to be issued with pesticide sales. There is a complete and utter lack of quality control, inventory control, workplace safety, records maintenance, GMP, BMPs, etc. The sheer volume of this pesticide train wreck is astounding. The only positive thing about the place is that we are talking about low toxicity pesticides intended for use by the home owner or consumer market and management appeared to be cooperative. Otherwise, Greenleaf might be the most violative pesticide production and distribution business I have ever inspected.

Gary Steiner